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"Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450"

on March 2, 2006

Gerard J. McGowan, Jr.  
Reg. No. 29,412  
Attorney for Applicant(s)

March 2, 2006  
Date of Signature

**PATENT**

CASE #F3315(C)  
UNUS #02-0539-UNI

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bartkowska et al.  
Serial No.: 10/664,101  
Filed: September 17, 2003  
For: Frozen Aerated Products

Group: 1761  
Examiner: Adepeju Omolola Pearse  
Englewood Cliffs, New Jersey 07632

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Documents relating to the above-identified application are submitted herewith. These documents are intended for the Examiner's information and for citation with the instant case. This submission does not constitute either a representation that a thorough search has been made or an admission that the documents cited herein are properly citable against the above-captioned patent application. Any comments accompanying the document are not intended to take the place of the Examiner's

independent consideration of each document. An attached PTO Form 1449 lists all the documents.

GB Search Report on Application No. GB 0221565.5 dated February 14, 2003  
European Search Report on Application No. EP 03 25 5095 dated January 21,  
2004

GB 2094128

WO 01/50879

WO 98/18350

WO 98/09534

WO 98/09536

EP 1180329

WO 94/10854

Koxholt, M.; McIntosh, T.; Eisenmann, B. (1999): Enhanced stability of ice cream by suing particulated whey proteins. European Dairy Magazine 10(1): 14-15)

United States Department of Agriculture (USDA) authorized Commercial Item Description AQ-A-20252A dated June 5, 2000

Revised Proposal Draft Codex General Standard for Fruit Juices and Nectars dated August 9, 2001 issued by the National Juice Products Association

AOAC International. 1995. "Total, soluble and insoluble dietary fiber in foods". AOAC Official Method 991.43. Official Methods of Analysis, 16<sup>th</sup> ed.

Souci, Fachmann and Kraut Food Composition and Nutrition Tables 1986/7 3<sup>rd</sup> revised and completed edition. The data for strawberry appears on page 793, the data for apple on page 764 and the data for mango on page 868.

EP 0 220 836

EP 0 546 200 B1 (with Derwent abstract)

EP 0 710 074 B1  
EP 0 883 350 B1  
EP 1 110 460 A1  
U.S. Patent No. 3,914,441  
U.S. Patent No. 4,021,583  
U.S. Patent No. 4,143,172  
U.S. Patent No. 4,244,981  
U.S. Patent No. 4,334,155  
U.S. Patent No. 4,410,555  
U.S. Patent No. 4,435,439  
U.S. Patent No. 4,368,211  
U.S. Patent No. 4,500,553  
U.S. Patent No. 4,609,561  
U.S. Patent No. 4,816,283  
U.S. Patent No. 4,830,868  
U.S. Patent No. 4,948,614  
U.S. Patent No. 4,954,360  
U.S. Patent No. 4,971,824  
U.S. Patent No. 5,633,029  
U.S. Patent No. 5,645,881  
U.S. Patent No. 5,665,413  
WO 89/00817  
WO 94/04043  
WO 97/26799  
WO 01/47369  
WO 01/50879  
U.S. Patent Application No. 2003/147995 A1 (corresponds to AU 2002323507)  
U.S. Patent No. 6,423,359

U.S. Patent No. 4,400,406 A  
AU 2002259285 (with Derwent abstract)  
FR 2 369 801 A (with Derwent abstract)  
EP 1 072 196 A  
U.S. Patent No. 4,971,824  
U.S. Patent No. 6,511,694

Since a first Office Action on the merits has already issued, please consider the information and charge the \$180.00 fee under 37 C.F.R. § 1.17(p) to Deposit Account No. 12-1155. Please charge any additional fees or credit over payment to Deposit Account No. 12-1155. Triplicate copies of this letter are enclosed.

Respectfully submitted,



Gerard J. McGowan, Jr.  
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independent consideration of each document. An attached PTO Form 1449 lists all the documents.

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U.S. Patent No. 4,410,555  
U.S. Patent No. 4,435,439  
U.S. Patent No. 4,368,211  
U.S. Patent No. 4,500,553  
U.S. Patent No. 4,609,561  
U.S. Patent No. 4,816,283  
U.S. Patent No. 4,830,868  
U.S. Patent No. 4,948,614  
U.S. Patent No. 4,954,360  
U.S. Patent No. 4,971,824  
U.S. Patent No. 5,633,029  
U.S. Patent No. 5,645,881  
U.S. Patent No. 5,665,413  
WO 89/00817  
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WO 01/47369  
WO 01/50879  
U.S. Patent Application No. 2003/147995 A1 (corresponds to AU 2002323507)  
U.S. Patent No. 6,423,359

FORM PTO-1449

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

ATTY DOCKET NO. F3315(C)

SERIAL NO. 10/664,101

APPLICANT: Bartkowska et al.

FILING DATE: September 17, 2003

GROUP: 1761

## U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NO.	DATE	NAME OF INVENTOR	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	3,914,441	10/21/75	Finney et al.			
	2	4,021,583	05/03/77	Arden			
	3	4,143,172	03/06/79	Mitchell et al.			
	4	4,244,981	01/13/81	Blake			
	5	4,334,155	06/08/82	Gieschen et al.			
	6	4,410,555	10/18/83	Richardson			
	7	4,435,439	03/06/84	Morris			
	8	4,368,211	01/11/83	Blake et al.			
	9	4,500,553	02/19/85	Liggett et al.			
	10	4,609,561	09/02/86	Wade et al.			
	11	4,816,283	03/28/89	Wade et al.			
	12	4,830,868	05/16/89	Wade et al.			
	13	4,948,614	08/14/90	Feldpausch			
	14	4,954,360	09/04/90	Barnett			
	15	4,971,824	11/20/90	Jonas			
	16	5,633,029	05/27/97	Cox et al.			
	17	5,645,881	07/08/97	Tancibok et al.			
	18	5,665,413	09/09/97	Rossiter			
	19	2003/147995 A1	08/07/03	Koss et al. (corresponds to AU 2002323507)			
	20	6,423,359	07/23/02	Bravermann			
	21	4,400,406	08/23/83	Morley et al.			
	22	4,971,824	11/20/90	Jonas			
	23	6,511,694	01/28/03	Huang et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES OR NO
	24	2 094 128	15 Sep 82	GB			
	25	01/50879	19 Jul 01	WO			
	26	98/18350	07 May 98	WO			
	27	98/09534	12 Mar 98	WO			
	28	98/09536	12 Mar 98	WO			
	29	1180329	20 Feb 02	EP			
	30	94/10854	26 May 94	WO			
	31	0 220 836	06 May 87	EP			

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## FOREIGN PATENT DOCUMENTS (CONTINUED)

33	0 710 074	08 May 96	EP			
34	0 883 350	16 Dec 98	EP			
35	1 110 460	27 Jun 01	EP			
36	89/00817	09 Feb 89	WO			
37	94/04043	03 Mar 94	WO			
38	97/26799	31 Jul 97	WO			
39	01/47369	05 Jul 01	WO			
40	01/50879	19 Jul 01	WO			
41	2002253285	11/02	Australia (corresponds to WO 02/094035)			
42	2 369 801	07 Jul 78	FR – with Derwent abstract			
43	1 072 196	31 Jan 01	EP			

## OTHER DOCUMENTS

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EXAMINER	DATE CONSIDERED
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EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THORUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.